

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

STEPHEN EUGENE KLINEBURGER,

Plaintiff,

v.

DOW CONSTANTINE et al.,

Defendants.

CASE NO. 2:23-cv-00958-LK

ORDER TO SHOW CAUSE

This matter comes before the Court sua sponte. On June 26, 2023, pro se Plaintiff Stephen Eugene Klineburger initiated this action against Defendants Dow Constantine, Rick Ybarra, and Josh Baldi. Dkt. No. 1.

Federal Rule of Civil Procedure 4 requires a plaintiff to serve a defendant with a summons and a copy of the complaint and sets forth the specific requirements for doing so. *See Fed. R. Civ. P. 4.* Rule 4(m) further provides the time frame in which service must be effectuated:

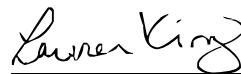
If a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.

1 Fed. R. Civ. P. 4(m).

2 Because it appears that Mr. Klineburger has not served Defendants with a summons and a  
3 copy of his complaint within the time allotted under Rule 4(m), the Court ORDERS Mr.  
4 Klineburger to SHOW CAUSE within 21 days of the date of this Order why this action should not  
5 be dismissed without prejudice for failure to comply with Rule 4. Alternatively, he may respond  
6 within 21 days of the date of this Order with proof that Defendants have in fact been served or  
7 have agreed to waive service. If Mr. Klineburger does not demonstrate good cause for the failure  
8 to comply with Rule 4(m), the Court will dismiss his claims against Defendants without prejudice.  
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10 The Clerk of Court is directed to mail Mr. Klineburger a copy of this Order at his last  
11 known address.

12 Dated this 27th day of September, 2023.

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15 Lauren King  
16 United States District Judge  
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